

Remarks

Claims 19-37 were pending in the present application, of which claims 20, 29 and 37 have been cancelled without prejudice or disclaimer of the subject matter therein. It is respectfully submitted that the pending claims define allowable subject matter.

With respect to the objection to claim 34, the noted term has been amended as suggested.

Claims 19-37 have been rejected under 35 USC § 103(a) as being unpatentable over Verna (USP 6,681,398) in view of Urella, et al (USP 5,138,722). Applicants respectfully traverse this rejection for reasons set forth hereafter.

It is submitted that the person of ordinary skill would not have found it obvious, nor have been motivated, to modify the device of Verna in the manner suggested in the outstanding Office Action. Neither Urella, nor any other prior art reference, provides any motivation or advantage in modifying Verna's device in the suggested manner. Further, even if modified, the combination fails to render obvious the claimed invention.

Claim 19 recites an audio/video system for providing select combination of audio and video signals. The system comprises, among other things, an interface device receiving and modulating a plurality of video signals associated with an event to produce modulated video signals. The interface device transmits the modulated video signals. The event constitutes an auto race and at least one of the video signals defines an image produced by a camera positioned at the auto race. Claim 19 further recites a receiver receiving the modulated video signals and receiving the modulated audio signals, and a display attached to the receiver. The display receives the demodulated video signals and produces images defined by the demodulated video signals. The system further includes first and second noise reduction devices configured to cover the ears of a user, and a first speaker coupled to the first noise reduction device to produce sounds defined by the demodulated audio signal.

Neither Verna, nor Urella, teach or suggest providing select combinations of audio and video signals for an auto racing event. Further, neither Verna, nor Urella, teach or suggest the claimed interface device that receives and modulates video signals associated with an auto race

event. Neither Verna, nor Urella, teach or suggest that one of the video signals define an image produced by a camera positioned at the auto race.

Verna describes a system that “provides on-field sports officials and other similarly situated users with systems, methods and portable devices for monitoring, reviewing and evaluating sports events, entertainment, news and other events and occurrences in nearly real-time.” (abstract). Verna’s system is described for use with a football game, such as by the on-field officials of the football game. Verna does not teach or suggest any reason to use Verna’s device with an auto racing event. Nor does Verna teach or suggest displaying video signals that define images produced by a camera at an auto racing event.

With respect to Claims 23 and 31, Verna does not teach or suggest displaying video signals defining images produced by cameras positioned within a vehicle participating in an auto race.

Instead, Verna’s device is intended for use by a sports official for sporting events of the type, at which the official is located on the field. Verna states that “there is a need for a system that would provide sports event officials with portable on-field devices. . . that would enable them in nearly real-time to review and evaluate and, if necessary, change their judgments and calls.” (column 1, line 66 to column 2, line 4). Verna explains that one problem experienced by on-field officials is that “lengthy delays, some lasting longer than five minutes, result while off-field officials reviewed plays, thereby expanding the duration of games, interrupting team momentum and disrupting mass media coverage.” (column 1, lines 43-47). It is clear that Verna’s device is not intended for use at all sporting events, but instead is only advantageous with certain types of sporting events, namely events having on-field officials that would utilize a portable on-field device to enable them in “nearly real-time to review, evaluate and, if necessary, change their judgment and calls.”

The claimed invention clearly defines the system of claim 19 to be provided in connection with auto racing. Claim 19 defines the interface device as receiving and modulating a plurality of video signals associated with an auto racing event, with at least one video signal defining an image produced by a camera positioned at the auto race. Auto racing is not the type

of sporting event contemplated by Verna. Officials at auto racing events have ready access to various equipment and are not in need of a portable on-field device, such as contemplated by Verna. The nature of officiating in auto racing events differs from officiating in football. Hence, Verna's system does not teach or suggest the claimed interface device, the claimed receiver or the claimed display. As already acknowledged in the Outstanding Office Action, Verna does not teach or suggest the claimed noise reduction devices or first speaker coupled to the first noise reduction device.

Moreover, the person of ordinary skill would not have been motivated to add Urella's headset to Verna's device, regardless of the type of event at which Verna's device is used. The on-field sporting officials intending to use Verna's device would not want noise reduction devices covering their ears while officiating a football game. It is necessary for the officials at football games to hear the sounds of the event, as well as whistles blown by other officials indicating the end of a particular play. An official would not want headphones covering the officials ears during the game. Therefore, the person of ordinary skill would not have been motivated to add the headset of Urella to Verna's sports-related device.

Verna also describes non-sporting events with which Verna's device may be utilized, such as with security system cameras located in a store or commercial premise. However, in each alternative embodiment, the person of ordinary skill would not have been motivated to add headphones to Verna's device to attenuate the sounds surrounding the user. For example, a security guard, using the device in connection with security cameras, would be very interested in hearing the sounds surrounding the guard and thus would not want headphones covering the guard's ears. Thus, it would not have been obvious to modify Verna's device to add the headset of Urella because, among other things, the users of Verna's device are in environments in which they are interested in hearing the surrounding sounds without noise reduction devices configured to cover their ears. Hence, claim 19 is not rendered obvious.

Claim 28 defines a portable audio/video device that comprises, among other things, a receiver, a display, first and second noise reduction devices and a first speaker. The receiver receives a plurality of video signals associated with an auto racing event. The receiver selects at

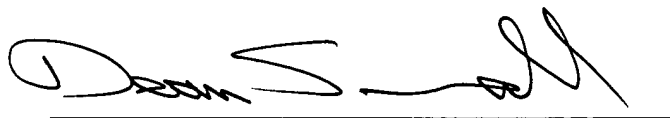
least one of the video signals, where the selected video signal defines an image produced by a camera positioned at the auto race.

As explained above, neither Verna, nor Urella, nor the combined teachings of the prior art suggest the claimed portable audio device that receives video signals associated with an auto race event. Nor does the combined teachings of Verna and Urella render obvious the selection of a video signal that defines an image produced by a camera positioned at the auto race event. Finally, it would not have been obvious to modify Verna's systems with the teachings of Urella because users of Verna's device would not want their ears covered with the headset of Urella.

For reasons set for above, the prior art does not teach or suggest a portable device (e.g., scanner, PDA, cell phone, hand-held device, or otherwise) that allows a user to select between video signals (real-time or replayed) associated with an auto racing event (e.g., NASCAR, CART, motor-cross, formula-one, tractor-pull and the like), while the user's ears are covered by noise attenuation devices. The user may use the claimed invention while at the auto race or elsewhere.

In view of the foregoing, it is respectfully submitted that the pending claims define allowable subject matter. Should anything remain in order to place the present application in condition for allowance, the examiner is kindly invited to contact the undersigned at the telephone number listed below.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Dean Small", is written over a horizontal line.

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